

The rejection of claims 21, 29, 47, and 68 under 35 U.S.C. § 112, second paragraph, for indefiniteness is respectfully traversed.

As to claim 21, the outstanding office action rejects claim 21 because, it is said, the expression "under conditions effective to inhibit the alkaline phosphatase's activity" is unclear and renders the claim indefinite. Applicant has hereinabove amended claim 21 by deleting the allegedly indefinite expression. Applicant submits that, as amended, claim 21 is not indefinite and, therefore, requests that the rejection of claim 21 under 35 U.S.C. § 112, second paragraph, for indefiniteness be reconsidered and withdrawn.

As to claims 29, 47, and 68, the outstanding office action rejects claims 29, 47, and 68 because, it is said, the phrase "the compound is a compound is" in each of claims 29, 47, and 68 renders these claims indefinite. Hereinabove, applicant has amended each of claims 29, 47, and 68 by replacing the objected-to phrase with "the compound is". Applicant submits that, as amended, claims 29, 47, and 68 are not indefinite and, therefore, requests that the rejection of claim these claims under 35 U.S.C. § 112, second paragraph, for indefiniteness be reconsidered and withdrawn.

The rejection of claims 21-77 under the judicially created doctrine of obviousness-type double patenting over claims 46-53 of U.S. Patent No. 6,355,823 to Pearce is respectfully traversed. Although applicant believes that grounds exist for arguing that the presently pending claims are patentably distinct from claims 46-53 of U.S. Patent No. 6,355,823, to expedite prosecution of the present application, applicant has filed herewith a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321. Accordingly, for at least

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this reason, applicant submits that the rejection of claims 21-77 under the judicially created doctrine of obviousness-type double patenting over U.S. Patent No. 6,355,823 should be withdrawn.

It is hereby requested that the \$55.00 small entity fee specified in 37 C.F.R. §§ 1.321 and 1.20(d) be charged to Deposit Account No. 50-0772 for the above-mentioned Terminal Disclaimer. In the event that any additional fee is necessary in connection with the filing of the Terminal Disclaimer, the Director is hereby authorized to charge Deposit Account No. 50-0772 for any such fee. A duplicate copy of this paper is enclosed.

Kindly note that the correspondence address for the present application has been changed, as indicated in the enclosed Change of Attorney or Agent's Address in Application.

In view of the foregoing, it is submitted that this case is in condition for allowance, and such allowance is earnestly solicited. Should any issues remain which can usefully be discussed by telephone, the Examiner is invited to contact applicant's undersigned attorney at the number set forth below.

Respectfully submitted,

June 6, 2003
Date

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